

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1757

**Introduced by Senators Denham and Battin
(Coauthors: Senators Aanestad, Ackerman, Johnson, and
Knight)**

(Coauthors: Assembly Members Bates, Cogdill, Daucher, Dutton,
Garcia, Harman, Shirley Horton, La Malfa, Maze, and Spitzer)

February 20, 2004

An act to amend Section 13332.09 of the Government Code, relating to state contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1757, as amended, Denham. State procurement: vehicles.

Existing law provides that no purchase order or other form of documentation for acquisition or replacement of motor vehicles shall be issued against any appropriation until the Department of General Services has investigated and established the necessity for the acquisition or replacement.

This bill would prohibit an executive branch officer or agency, ~~the Legislature~~, the Supreme Court, the Courts of Appeal, the University of California, and the California State University, from purchasing a motor vehicle unless and until the purchase contract is approved by the Department of General Services. The bill would require each purchase contract to be transmitted to the department with all papers, estimates, price quotes, and recommendations concerning the purchase, and if approved by the department the purchase contract would be effective from the date of the approval.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13332.09 of the Government Code is
2 amended to read:
3 13332.09. (a) No purchase order or other form of
4 documentation for acquisition or replacement of motor vehicles
5 shall be issued against any appropriation until the Department of
6 General Services has investigated and established the necessity
7 therefor. Notwithstanding any other provision of law, a state
8 agency may not purchase a motor vehicle unless and until the
9 purchase contract is approved by the Department of General
10 Services. Each purchase contract shall be transmitted to the
11 Department of General Services with all papers, estimates, price
12 quotes, and recommendations concerning the purchase, and if
13 approved by the Department of General Services, shall be
14 effective from the date of the approval.
15 (b) A state agency may not acquire surplus mobile equipment
16 from any source for program support until the Department of
17 General Services has investigated and established the necessity
18 therefor.
19 (c) All passenger-type motor vehicles purchased for state
20 officers and employees, except constitutional officers, shall be
21 American-made vehicles of the light class, as defined by the State
22 Board of Control, unless excepted by the Director of General
23 Services on the basis of unusual requirements, including, but not
24 limited to, use by the California Highway Patrol, that would justify
25 the need for a motor vehicle of a heavier class.
26 (d) No general use mobile equipment having an original
27 purchase price of twenty-five thousand dollars (\$25,000) or more
28 shall be rented or leased from a nonstate source and payment
29 therefor made from any appropriation for the use of the
30 Department of Transportation, without the prior approval of the
31 Department of General Services after a determination that
32 comparable state-owned equipment is not available, unless
33 obtaining approval would endanger life or property, in which case
34 the transaction and the justification for not having sought prior



1 approval shall be reported immediately thereafter to the
2 Department of General Services.

3 (e) As used in this section:

4 (1) “General use mobile equipment” means equipment that is
5 listed in the Mobile Equipment Inventory of the State Equipment
6 Council and which is capable of being used by more than one state
7 agency, and shall not be deemed to refer to equipment having a
8 practical use limited to the controlling state agency only. Section
9 575 of the Vehicle Code shall have no application to this section.
10 (2) “State agency” means a state agency, as defined pursuant
11 to Section 11000, ~~the Legislature~~, the Supreme Court and the
12 Courts of Appeal, and each campus of the California State
13 University and the University of California.

